

### *Call on House Leadership to Ensure Onshore Drilling and Development Regulations are Included in Gulf Oil Spill Response Legislation Headed to House Floor*

**Washington, DC** - Today, U.S. Reps. Michael Arcuri (NY-24) and Maurice Hinchey (NY-22) continued their fight to strengthen oil and natural gas drilling reforms by calling on House Leadership to ensure that legislation headed to the House Floor in response to the BP oil spill in the Gulf of Mexico includes regulations and oversight to onshore as well as offshore development activities.

"Natural gas and oil drilling accidents that occur onshore can be just as environmentally devastating as those that occur offshore," said Arcuri. "If the BP oil spill has taught us anything, it is that the oil and gas industries are incapable of regulating themselves, and that Congress must act swiftly to enact additional reforms and oversight in order to prevent a future catastrophe—on land or at sea. That is why Congressman Hinchey and I have called on House Leadership to ensure legislation coming to the House Floor in response to the Gulf spill doesn't continue to allow big oil and gas to cut corners when drilling in our communities as well as offshore."

"The BP spill in the Gulf of Mexico, along with scores of spills related to oil and gas drilling throughout the country, make it clear that we cannot and must not trust industry and lobbyist assurances regarding the safety and risks associated with drilling, regardless of whether they are talking about offshore or onshore activities," said Hinchey. "That is why Congressman Arcuri and I are urging Speaker Pelosi and Leader Hoyer to ensure that the rules and regulations we put in place to protect our water resources and local economies from drilling don't stop at the ocean's edge. Local industries and families have already been devastated by the negligence of energy companies in the Gulf. We shouldn't wait for an environmental catastrophe to happen onshore before we pass commonsense legislation that ensures that all drilling companies are held to the highest possible environmental standards."

On Friday, Arcuri and Hinchey were joined by several other colleagues in sending a letter to Speaker Nancy Pelosi and Majority Leader Steny Hoyer requesting that as legislation considered in response to the BP oil spill, the scope of environmental and safety regulations placed upon the oil and natural gas industries is not limited to only offshore drilling and development activities. Legislation removing exemptions and increasing regulations and oversight of oil and natural gas development, has come out of the House Committees on Energy and Commerce, Natural Resources, and Transportation and Infrastructure and will be

considered on the House Floor in the coming weeks.

The oil and gas industries enjoy exemptions from nearly every major piece of environmental protection law that Congress has enacted to ensure public health by preserving our clean water and air. They are currently the only industries that are exempted from complying with key elements of the Clean Water Act, the Clean Air Act and the Safe Drinking Water Act.

Significant incidents, including spills and well blowouts similar to what happened at the BP Deepwater Horizon drilling site, have occurred recently at onshore drilling sites in Colorado, Pennsylvania, Texas, Utah, West Virginia and Wyoming.

Both Arcuri and Hinchey have offered legislation that would remove exemptions granted to the oil and natural gas industries through the Energy Policy Act of 2005 as part of an ongoing commitment to ensure that oil and gas development is conducted in a manner that does not threaten public health or the environment.

Most recently, an amendment authored by Arcuri was included into the Oil Spill Accountability and Environmental Protection Act of 2010 (H.R. 5629), which was reported favorably out of the House Committee on Transportation and Infrastructure. This amendment would remove the special exemption from the Environmental Protection Agency's (EPA) stormwater permit requirements through the Clean Water Act when constructing oil and natural gas drilling sites, helping to protect surface water from drilling site runoff contamination.

Additionally, the FRAC Act, legislation co-authored by Hinchey and co-sponsored by Arcuri, would remove an exemption through the Safe Drinking Water Act for the hydraulic fracturing technique administered by the natural gas industry. The FRAC Act would also require the oil and gas industry to disclose the chemicals they use in their hydraulic fracturing processes. The bill is currently before the House Energy and Commerce Committee.

Below is the text of the letter sent to Speaker Pelosi and Majority Leader Hoyer:

July 23, 2010

Dear Speaker Pelosi and Majority Leader Hoyer:

We write to commend you on your efforts to craft meaningful legislation addressing many of the long standing problems which led to the BP oil spill in the Gulf of Mexico in order to strengthen government oversight and safety regulations for oil and gas development and protect all Americans from future disasters of this magnitude. We are deeply troubled, however, at the prospect that these long overdue reforms could be limited only to offshore development activities even though many of the problems that led to the gulf spill are directly applicable to preventing onshore disasters. We strongly believe that Congress must act swiftly in order to prevent any future catastrophe and urge you to resist efforts to weaken this legislation. The American people cannot afford to suffer another such disaster before Congress takes action.

The need for drilling oversight and reform is not unique to the off-shore setting. Significant incidents, including spills and well blowouts, have occurred just recently in Utah, Texas, Colorado, Pennsylvania, West Virginia and Wyoming. Similar spills and contamination incidents are happening nationwide, especially in states that do not have stringent state regulations. These spills are just as serious as those that occur offshore.

The oil and gas industry enjoys exemptions from nearly every major piece of environmental protection law that Congress has enacted to ensure public health by preserving our clean water and air. It is currently the only industry that is exempted from complying with key elements of the Clean Water Act, the Clean Air Act and the Safe Drinking Water Act. By giving the oil and gas industry a pass on these important regulations, we're essentially allowing it to self-certify that it has taken the necessary precautions to prevent another catastrophe. That is the same approach that led to the inadequate response plans in the Gulf.

While the reforms included by the relevant House committees in their respective bills do not correct all of these exemptions, these are common sense reforms and moderate compared to the exemptions that currently exist. The reforms that have been put forward by the relevant House Committees address the disaster in the Gulf and the more widespread problems that contributed to it. Many of these address issues that are common to both onshore and offshore oil and gas development.

We cannot afford to wait for another disaster before Congress acts to modernize and improve its safety regulations. The oil and gas industry has clearly demonstrated that it is incapable of regulating itself. Therefore we feel strongly that legislation the House produces to respond to the BP spill and prevent future disasters must include additional reform and oversight of oil and gas production – regardless of whether it occurs onshore or offshore.

Thank you for your careful consideration of these issues. We look forward to working with you to pass legislation that will strengthen safety oversight and environmental protections of future oil and gas development, wherever it may occur.

Sincerely,

Congressman Michael Arcuri  
Congressman Maurice Hinchey